

REMARKS

Currently claims 1-3, 6 and 11-19 are pending in the application. Applicant notes the examiner has incorrectly listed the claim status on the Final Office Action; claim 5 having been previously canceled

Amendment

Claim 1 has been amended to include the limitation of claim 4. Claim 4 has been canceled. Claim 6 has been amended so that it depends on claim 1. Claims 6 and 14 have been amended in order to clarify the claimed invention. Claim 16 has been amended to overcome the rejection under 35 U.S.C. §101.

Art Rejection

Claims 1, 6, 11-17, and 19 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Safai (U.S. 6,715,003) in view of Roosen (U.S. 2002/0036793). Claims 2-3, 6, and 18 also stand rejected under 35 U.S.C. §103(a) as being unpatentable over Safai (U.S. 6,715,003) in view of Roosen (U.S. 2002/0036793). The examiner has apparently cited the rejection of claim 6 twice. Applicant respectfully traverses the rejection.

Regarding claim 1, applicant has amended the claim to further include the limitation of claim 4. Applicant notes the examiner has failed to establish a prima facie case of obviousness with respect to the rejection of claims 4 and 6. The examiner stated on page 6 of the Final Office Action "As the modified Safai/Roosen invention meets claims 2 and 3, claims 4 (the email feature of 11(b-e) and 6 (replication of claims 5/14) are also unpatentable." It appears the examiner is rejecting claims 4 and 6 out of hand without providing sufficient reasoning as to why the features contained therein would be obvious.

Applicant notes claim 1 (which now incorporates the feature of claim 4) requires that the computer receive at least one email control file from the imaging device which indicates a prior intention for emailing particular stored images, and wherein the computer responds to the email control file to create and display a list of email tasks selectable by the computer user. While Safai does disclose the ability to attach an email address to a photo that is sent to the server 601, the server 601 executes the sending of the emailing without displaying a list of email tasks that are selectable by the computer user. Roosen fails to overcome the

deficiency of Safai. Accordingly, applicant submits the examiner is relying on hindsight knowledge of applicants own invention to arrive at a finding of obviousness when the references themselves, when taken as a whole, fail to provide support for the examiner's finding. The rejection of claim 1, and claims depending thereon, is therefore improper and should be withdrawn.

Regarding claims 6 and 14, applicant has amended the claims to recite the limitation of allowing the user to deselect an image or select a new image *within* the printing and email tasks as part of modifying those tasks. Neither Safai nor Roosen disclose the ability to select or deselect an image within a particular task, as claimed. Hence, applicant requests that the rejection with regard to claims 6 and 14 be withdrawn.

Regarding claim 11, applicant respectfully traverses the rejection. The examiner contends that Roosen discloses elements (e) through (g), citing the functionality disclosed in Roosen with respect to "a received IP job." Applicant notes that an "IP job" as used in Roosen stands for "interactive print job." Accordingly, this term cannot refer to the functionality described in steps (e) through (g) as the examiner contends, since these elements refer to email. Applicant further notes that Roosen fails to refer to email in any capacity. Hence, applicant respectfully requests that the rejection of claim 11 and dependent claims 12-14 be withdrawn.

Regarding claim 15, applicant respectfully traverses the rejection. Applicant submits that Roosen does not disclose elements (e) and (g), despite the examiner's contentions. Specifically, element (e) requires the computer, based on a user preference, "to selectively create a to do list indicating at least one printing task that can be performed at a future time selectable by the computer user." While it may be true that Roosen discloses listing print tasks, it fails to disclose creating a to do list which identifies printing tasks as saved for future use in a to do list. Therefore, applicant respectfully submits the rejection of claim 15 is improper and should be withdrawn.

Regarding claim 19, applicant respectfully traverses the rejection. Claim 19 recites the limitation of "selectively modifying the selected printing task to keep from printing at least one particular digital image identified in the first print control file among a plurality of images" at step (g), e.g. when interacting with a print task in the to do list. Beyond the lack of a to do list in Safai/Roosen,

applicant further submits that said combination fails to disclose the above limitation. For the purposes of the combination, Roosen covers the claimed method at the "server" side. Roosen does not disclose the ability to keep from printing a "particular digital image" among a plurality of images of a print control file, as claimed. Roosen does not even disclose printing grouped images, and therefore it cannot suggest the claimed invention. Applicant respectfully submits the rejection of claim 19 is improper and should be withdrawn.

Conclusion

Applicant submits that claims 1-3, 6 and 11-19 patentably distinguish over the applied references and are in condition for allowance. Should the examiner have any issues concerning this reply or any other outstanding issues remaining in this application, applicant urges the examiner to contact the undersigned to expedite prosecution.

Respectfully submitted,



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If the Examiner is unable to reach the Applicant(s) Attorney at the telephone number provided, the Examiner is requested to communicate with Eastman Kodak Company Patent Operations at (585) 477-4656.